



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,852	12/12/2000	Hyun-Jeong Kim	678-578 (P9616)	4736

7590 02/18/2004

Dilworth & Barrese, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553

EXAMINER

LY, NGHI H

ART UNIT	PAPER NUMBER
2686	

DATE MAILED: 02/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,852

Applicant(s)

KIM, HYUN-JEONG

Examiner

Nghi H. Ly

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain et al (US 6,085,101) in view of DeLine et al (US 6,278,377) and further in view of Coad et al (US 5,966,652).

Regarding claim 1, Jain teaches a method of notifying a calling mobile station that a called mobile station has confirmed a message by the called mobile station after receiving the message from a mobile switching center (MSC) (see fig.3 MSC 318 and base station 324) and informing the called mobile station of receipt of the message in a wireless communication system (see column 13 lines 32-49 for wireless communication), comprising the steps of: determining whether the called mobile station has confirmed the received message after the called mobile station is informed of receipt of the message (also see column 12 lines 24-41), notifying that the message has been confirmed (also see column 12 lines 24-41), if it is determined that the called mobile station has confirmed the received message (also see column 12 lines 24-41)

Art Unit: 2686

and displaying information indicating receipt of the confirmation message upon receipt of the confirmation message (also see column 12 lines 40-41, "A text response").

Jain does not specifically disclose determining, when a voice call is not normal established, whether the called mobile station has confirmed the received message after the called mobile station is informed of receipt of the message.

DeLine teaches determining, *when a voice call is not normal established*, whether the called mobile station has confirmed the received message after the called mobile station is informed of receipt of the message (see column 9, lines 11-31 and see column 1, line 65 to column 2, line 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of DeLine into the system of Jain in order to alert the caller that the message sent may not have been properly received (see DeLine, column 9, lines 26-31).

The combination of Jain and DeLine does not specifically disclose transmitting a confirmation message including a telephone number of a caller, notifying that the message has been confirmed, if it is determined that the called mobile has confirmed the received message.

Coad teaches transmitting a confirmation message including a telephone number of a caller, notifying that the message has been confirmed, if it is determined that the called mobile has confirmed the received message (see column 4 lines 9-44, in Coad, the called party extracts dialable telephone number within the text message of the caller and called party use the extracting dialable telephone number to answer the call from

the caller. Therefore, Coad inherently teaches a confirmation message including a telephone number of a caller so that telephone network would know where to send back the confirmation message to the caller).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Coad into the system of Jain and DeLine in order to provide extraction of multiple call-back telephone numbers within the text message thus overcoming two significant disadvantages of the prior art (see Coad, column 4 lines 25-28).

Regarding claim 2, Jain further teaches the message is a voice message (column 12 lines 24-41, see "DTMF" or "speech recognition").

Regarding claim 3, Jain further teaches the message is a text message (column 12 lines 40-41, see "A text response").

Regarding claim 4, Jain further teaches the confirmation message is a data burst message (column 12 lines 24-41, see a short message "Yes, I will attend" or "No, I will not attend").

Regarding claim 5, Jain further teaches the confirmation message is a short message (column 12 lines 24-41, see a short message "Yes, I will attend" or "No, I will not attend").

3. Claims 6, 7, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLine et al (US 6,278,377) in view of Baum et al (US 6,212,260).

Regarding claims 6 and 11, DeLine teaches a method for receiving a confirmation message from a called mobile station in a calling mobile station after a message is transmitted to the called mobile station *when a voice call is not normally established* upon request of a voice call from the calling mobile station in a wireless communication system (see column 1, line 65 to column 2, line 4, and column 9, lines 11-31, see "*The user in the mobile vehicle will be alerted by indicator 72*"), comprising the step of: transmitting the message to the mobile station and checking whether the confirmation message has been received in response to the message (also see column 9, lines 11-31, and see column 1, line 65 to column 2, line 4) and DeLine further teaches a vehicle alarm status indicator (see column 1, lines 34-45).

DeLine does not specifically disclose sounding an alarm upon receipt of the confirmation message.

Baum teaches disclose sounding an alarm upon receipt of the confirmation message (see column 10 lines 9-13).

Regarding claims 7 and 12, DeLine further teaches the message is a voice message (column 8, lines 43-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Baum into the system of DeLine so that the caller is more aware that the called person has confirmed the received message.

Art Unit: 2686

4. Claims 8-10 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLine et al (US 6,278,377) in view of Baum et al (US 6,212,260) and further in view of Jain et al (US 6,085,101).

Regarding claims 8 and 13, the combination of DeLine and Baum teaches claims 6 and 11. The combination of DeLine and Baum does not specifically disclose the message is a text message.

Jain further teaches the message is a text message (column 12 lines 40-41, see "A text response").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Jain into the system of DeLine and Baum so that the called party could read the message.

Regarding claims 9 and 14, the combination of DeLine, Baum and Jain further teaches the confirmation message is a data burst message (see Jain, column 12 lines 24-41, see a short message "Yes, I will attend" or "No, I will not attend").

Regarding claims 10 and 15, the combination of DeLine, Baum and Jain further teaches the confirmation message is a short message (see Jain, column 12 lines 24-41, see a short message "Yes, I will attend" or "No, I will not attend").

Response to Arguments

5. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2686

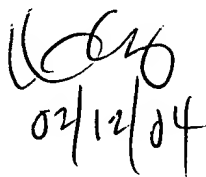
Conclusion

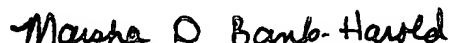
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (703) 605-5164. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly


02/12/04


MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600